

12 STEPHEN PHILLIP COLLINS,
13 Plaintiff,
14 v.
15 COUNTY OF MONTEREY, et al.,
16 Defendants.

Case No.: 14-cv-02715-LHK
CASE MANAGEMENT ORDER

17 Attorney for Plaintiff: H. Nelson Meeks
18 Attorney for Defendants County of Monterey, Weeks, McKee, Grant, Calcagno, and Potter: Mark
19 Wasser
20 Attorney for Defendants MacLean and California-American Water Company: Robert Moore

21 An initial case management conference was held on February 18, 2015. A further case
22 management conference is set for April 16, 2015 at 1:30 p.m. The parties shall file their joint case
23 management statement by April 9, 2015.

24 The complaint was filed on June 11, 2014. As of February 18, 2015, Plaintiff has failed to
25 serve Defendant California-American Water Company. At the case management conference,
26 Plaintiff did not indicate any intention to serve Defendant California-American Water Company.
Therefore, the Court granted Plaintiff's motion to dismiss with prejudice Defendant California-
American Water Company, as Plaintiff failed to serve Defendant California-American Water
Company within 120 days as required under Federal Rule of Civil Procedure 4(m).

27 The Court granted Plaintiff's motion to dismiss with prejudice Plaintiff's fraud claims

1 against Defendants County of Monterey, Weeks, McKee, Grant, Calcagno, and Potter.

2 By March 4, 2015, Plaintiff shall either dismiss with prejudice his fraud claim against
3 Defendant MacLean or file a statement with the Court indicating that Plaintiff intends to pursue
his fraud claim against Defendant MacLean.

4 Discovery is stayed until the Court orders otherwise.

5 **IT IS SO ORDERED.**

6 Dated: February 18, 2015

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8 LUCY H. KOH
9 United States District Judge

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United States District Court
Northern District of California